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REMARKS

The Examiner indicates restriction to one of the following species is required:

- I. the species of Figs. 1B, 1D, 2A, 2B, 2D, and 2E;
- II. the species of Fig. 2C;
- III. the species of Fig. 2F;
- IV. the species of Fig. 2G, 2H, and 3A;
- V. the species of Fig. 2I;
- VI. the species of Fig. 2J;
- VII. the species of Fig. 3B; or
- VIII. the species of Fig. 3C.

Though not conceding to the Examiner's position Applicant is electing consonant with the requirement, with traverse, group I the species of Figures 1B, 1D, 2A, 2B, 2D, and 2E. Applicant has included a listing of all claims readable thereon identifying claims 1-10, 16-18, 25-27, 29, 31, and 33 as claims that encompass the elected species. As an accommodation, Applicant is withdrawing claims 12-15, and 32 from consideration.

Applicant contends the Examiner's position, that there does not appear to be any allowable generic claims in the application (Office Action page 2, last sentence), is in error. In this regard, Applicant having distinctly and specifically pointed out errors in the restriction requirement, reserves the following rights: 1) to petition, and 2) upon allowance of a generic claim the right to additional species including rejoinder of withdrawn claims 12-15, and 32. Applicant traverses the restriction requirement on the grounds that the current listing of claims is allowable. Applicant addresses each of independent claims 1, 25, and 29 below.

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With regards to independent claims 25 and 29, the Examiner indicated in the Office Action mail date August 8, 2006 section 5 page 3 allowable subject matter. In this regard, claim 25 was rewritten in independent form including all the limitations of the base claim (independent claim 25) and intervening claims including objected to allowable dependent claim 28. Correspondingly, dependent claim 28 was canceled. Applicant contends rewritten independent claim 25 and associated dependant claims are allowable.

Furthermore, independent claim 29 was rewritten in independent form including all the limitations of the base claim (independent claim 1) and intervening claims including objected to allowable dependent claim 18. Applicant contends rewritten independent claim 29 and associated dependent claims are allowable.

With regards to independent claim 1, Applicant contends that Applicant's present invention includes features and or advantages that are patentable, novel, and non-obvious in view of the art disclosed by the cited references. Two such features are clarified below.

The first such feature and or advantage is how Applicant utilizes polyurea in the coating material. Applicant maintains that, Pugh teaches the use of a polyurethane coating (col 1 36-48). Polyurethane can be defined as the result of a chemical reaction between an isocyanate and a polyol. This is different then Applicant's coating. Applicant teaches the use of a polyurea coating. Polyurea can be defined as the result of a chemical reaction between an isocyanate and an amine. (see Applicant's specification in general and more specifically starting on page 19 line 24 through page 20 line 9, and page 30 lines 1-8). Applicant contends the cited references including Pugh individually or in combination do not teach or suggest Applicant's coating.

The second such feature and or advantage that Applicant regards as patentable, novel, and non-obvious in view of the art disclosed by the cited references is how *'...the*

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thickness of said coating material is regulated in a predetermined pattern to achieve desired operational properties of said lifting sling' (Independent claims 1, 29 and similar phrasing in independent claim 25).

In this regard, Applicant's coating material is sprayed/disposed onto the core materials in such a way to allow air mixing and activation of Applicant's coating material chemicals. This chemical activation initiates the tenacious bonding so quickly that the coating material begins curing almost instantly, eliminating running, or settling of the coating material. As such, Applicant can precisely locate and regulate, on the sling body, the thickness of the coating material to control certain operational properties of Applicant's lifting sling. Control of operational properties such as coating location and thickness on the lifting sling body enables Applicant's lifting sling to be customized for particular environments, applications, reliability, performance, and or other customized for other reasons.

Applicant contends the cited references including Pugh individually or in combination do not teach or suggest Applicant's feature. In addition, Applicant contends prior art coating materials such as polyurethane have extended cure times, do not layer well or combine well to modify operational properties, and as such cannot achieve the characteristics and or operational properties of Applicant's lifting sling of the present invention.

Applicant teaches this feature throughout Applicant's specification and in particular in Figures 1J, 1K, and 1L, starting on page 23 line 19, through page 24 line 20 shown below.

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In an exemplary embodiment, for example and not limitation, the polyurea elastomer, polyurethane, or hybrid polyurethane – polyurea elastomer coating 110 can be applied in one or more coats of one or more continuous or variable thickness layers. A preferred thickness on lifting sling materials can range from about 0.5 millimeters to approximately 20 millimeters, more preferably from about 1 millimeter to approximately 10 millimeters, and most preferably from about 3 millimeters to approximately 5 millimeters. The thickness may vary across the lifting sling in a random manner or according to a predetermined pattern (for example thicker in certain portion of the lifting sling). In a plurality of exemplary embodiments thickness of up to 2,000 millimeters is possible.

An advantage of the present invention lifting sling 108, 126 is that the thickness of the coating can be controlled. In this regard, the desired properties of the lifting sling can be selectable based in part on the thickness of the coating material 110. Figures 1J-1L and corresponding teaching below illustrate how regulating the thickness of the coating material in a predetermined pattern can be utilized to tailor the operational properties of the lifting sling 108, 126.

In an exemplary embodiment, for example and not limitation, the polyurea elastomer, polyurethane, or hybrid polyurethane – polyurea elastomer coating 110 can exhibit a Shore 'A' hardness in the range of 45-90 and more preferably in the range of 75-90, tensile strength in the range of 1,200-6,500 pounds per square inch (psi) and more preferably in the range of 1,500-2,800psi, elongation in the range of 50-300 percent (%) and more preferably in the range of 100-160%, tear resistance in the range of 200-600 pounds per linear inch (pli) and more preferably in the range of 250-500pli, and the coating remains flexible in the temperature range of -40 to 160 degrees Celsius and can exhibit excellent high temperature properties that can approach 175 degrees Celsius. Properties of the polyurea elastomer, polyurethane, or hybrid polyurethane – polyurea elastomer coating 110 can be tailored in a plurality of exemplary embodiments based in part on the thickness of the coating applied to the lifting sling core materials.

In view of Applicant's clarification, Applicant contends independent claim 1 and associated dependent claims are allowable.

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CONCLUSION

Applicant respectfully requests reconsideration and further examination of all claims. Applicant submits that in view of the amendments and remarks set forth above, this application is in condition for allowance and requests early notification to this effect.

Respectfully Submitted,



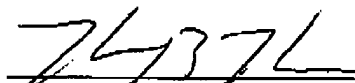
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: MARCH 2, 2007


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